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09/575,104	05/19/2000	Takanori Nishimura	SONY-T0571	9384

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EXAMINER

BASEHOAR, ADAM L

ART UNIT PAPER NUMBER

2178

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/575,104

Applicant(s)

NISHIMURA ET AL

Examiner

Adam L. Basehoar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9 and 11-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9, and 11-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: The Amendment filed 11/23/05 to the RCE filed 05/26/05.
2. Claims 1-2, 4-9, 11-19, 21-28, and 30-34 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Bhukhanwala (US- 5,831,617 11/02/98) in view of Hug et al (US- 5,806,078 09/08/98).
3. Claims 20 and 29 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Bhukhanwala (US: 5,831,617 11/02/98) in view of Hug et al (US-5,806,078 09/08/98) in further view of Gupta et al (US: 6,546,405 04/08/03).
4. Elected claims 1, 2, 4-9, 11-34 are pending in this application. Claims 1, 8, and 15 are independent claims.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 4-9, 11-19, 21-28, and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhukhanwala (US- 5,831,617 11/02/98) in view of Hug et al (US-5,806,078 09/08/98).

-In regard to independent claims 1, 8, and 15, Bhukhanwala teaches an apparatus, method, and medium comprising:

a storage means for storing a pre-set processing unit (column 1, lines 9-13), said processing unit being an electronic label (equivalent to the “container icon” or “movie icon”)(column 1, lines 50-53)(Fig. 1B: 26) configured to be displayed as a graphical image on a display (Fig. 1B: 10), said processing unit configured to have user selectable information (frame icons)(column 2, lines 12-22) having different attributes (text, audio, video, etc) (column 10, lines 26-28)(Fig. 2A: 53, 77, etc) and the time information in association with each other (column 2, lines 23-56)(Fig. 2A: 50, 77, 73, 53, etc), said object information (frame icons) being displayed when said electronic label was displayed (column 2, lines 32-36 & 46-56); and

regenerating means for regenerating the state (Fig. 1B: 30 & 32) of said pre-set processing unit associated with a predetermined date and time based on said time information (column 2, lines 23-31)(Fig. 3B-F), said state of said processing unit being indicative of what object information was associated with said processing unit as a function of time (column 2, lines 32-36)(i.e. displays what frame icons which were related to a given stored time).

Bhukhanwala teaches the processing unit occupying an area on the display (Fig. 1B: 10). Bhukhanwala does not teach displaying the processing unit occupying a predetermined area on the display. It would have been obvious to one of ordinary skill in the art at the time of the invention for Bhukhanwala to have displayed the processing unit at a predetermined area on the display, because Bhukhanwala teaches using a position indicator (Fig. 1B: 32) eliminates cluttering a display screen with scattered icons and files (column 6, lines 18-31) and thus a

predetermined display area would reduce cluttering and increase user familiarity with the container/movie icon always appearing in the same location.

Bhukhanwala also does not specifically teach a determination means for determining a variation between the attributes concerning said pre-set processing unit at a first time point and the attributes at a second time point, wherein said storage means includes means for storing the variation, and said regeneration means regenerates the state of said pre-set processing unit based on said time information and said variation information. Hug et al teach determining a variation (i.e. "delta format")(Abstract) between the attributes of a file (i.e. "documents")(Abstract) at a first original time point ("An original version of each document")(Abstract) and at a second time point (i.e. "all alternative versions")(Abstract); a storage means for storing the variation ("are stored in a delta format, i.e., storing only the differences from a prior document version")(Abstract); and said regeneration means for regenerating the state based on said time (i.e. version) and said variation information (i.e. delta format)(Abstract)(column 2, lines 11-16). It would have been obvious to one of ordinary skill in the art at the time of the invention for Bhukhanwala to have incorporated the above features of Hug et al to aid the regeneration of the state of the pre-set processing unit, because Hug et al taught that by storing only the time information and said variation information of attributes at different time points, less storage space was necessary than storing all the alternative versions of the states ("will generally require less storage than an entire alternative version")(Abstract).

-In regard to dependent claims 2 and 9, Bhukhanwala teaches wherein said storage means stores the entire information (files) relevant (Fig. 3B-F: 60 & 80) to said pre-set processing unit at a time point (Fig. 3B-F: Today, Yesterday, 2 Days old, 3 Days old, etc).

-In regard to dependent claims 4 and 11, Bhukhanwala teaches acquiring the hysteresis of the operation on said pre-set processing unit by selecting to go forward or rewind from an initial state (column 8, lines 1-16);

storing the operation hysteresis information (equivalent to determining/receiving the hysteresis information); and

regenerating the state of said processing unit (Fig. 3B-F) based on the time information (Today, Yesterday, 2 Days old, etc) and said operation hysteresis information (browsing direction)(column 8, 6-10).

-In regard to dependent claims 5 and 12, Bhukhanwala teaches wherein said storage means effects storage at regular (time) intervals (Fig. 2A: Today, Yesterday, 2 Days old, 3 Days old, etc.)

-In regard to dependent claims 6 and 13, Bhukhanwala teaches wherein said storage means effects storage at a time point (Fig. 2A: Today, Yesterday, 2 Days old, 3 Days old, etc.) when the state (user selected saved time point)(Fig. 1B: 32) of said pre-set processing unit was changed (i.e. storage retrieves and displays current state objects)(Fig. 3B-F).

-In regard to dependent claims 7 and 14, Bhukhanwala teaches wherein said object information of different attributes was the text information (column 2, lines 59-60), speech information, and the picture information inclusive of moving pictures (column 10, lines 16-29); and

displaying said tag sheet on a display picture of said display device (Fig. 1: 10 & 26).

-In regard to dependent claims 16 and 25, Bhukhanwala teaches wherein said regenerating means include;

time display means for displaying times (Fig. 1B: 32);

time interval displaying means for displaying a plurality of time intervals (Fig. 1B: 32);

selection means for selecting a desired time interval from said time intervals displayed on said time interval displaying means (columns 2 & 6, lines 46-56 & 28-46)(Fig. 1B: 30); and

control means for controlling the display state of said pre-set processing unit and time display on said time display (Fig. 1B) means responsive to the time interval selecting by said selection means (Fig. 4).

-In regard to dependent claims 17 and 26, Bhukhanwala teaches displaying a plurality of pre-set constant time intervals (Fig. 1B: 32) as said plural time intervals (columns 7 & 8, lines 32-67 & 1-16).

-In regard to dependent claims 18 and 27, Bhukhanwala teaches displaying variable time intervals (i.e. variable user configuration)(Fig. 1B: 32) with a pre-set changing point as a unit (columns 7 & 8, lines 32-67 & 1-16).

-In regard to dependent claims 19 and 28, Bhukhanwala teaches controlling the amount of change of the time display on said time displaying means with a variable speed (equivalent to the user changing the time ratio (Fig. 4: 92) or selecting the play, rewind, or forward of Fig. 1B: 30) based on a command from outside (keyboard or pointing action from a user)(column 6, lines 28-46)(Fig. 1B: 30).

-In regard to dependent claims 21 and 30, Bhukhanwala teaches controlling the time display color responsive (i.e. equivalent to changing the frames of the movie Fig. 3B-F) to the time interval selected by said selection means (Fig. 3B-F: Today, Yesterday, 3 Days Old, etc).

-In regard to dependent claims 22 and 31, Bhukhanwala teaches retrieving the information (files)(column 6, lines 28-46) of a pre-set processing unit associated with the time information from said storage means based on the time displayed on said display means (Fig. 3B-F).

-In regard to dependent claims 23 and 32, Bhukhanwala teaches retrieving the regenerated state (file states at different time intervals)(Fig. 3B-F) of said pre-set processing unit



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based on said information of said pre-set unit retrieved from said storage (memory) means by said retrieving means.

-In regard to dependent claims 24 and 33, Bhukhanwala teaches wherein said object information of different attributes can be text information (column 2, lines 59-60), speech information, and the picture information including moving pictures (column 10, lines 16-29); displaying said tag sheet on a display picture of a display device (Fig. 1: 10 & 26).

7. Claims 20 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhukhanwala (US: 5,831,617 11/02/98) in view of Hug et al (US-5,806,078 09/08/98) in further view of Gupta et al (US: 6,546,405 04/08/03).

-In regard to dependent claims 20 and 29, Bhukhanwala do teach controlling the amount of change of the time display (column 2, lines 24-55) based on an outside user selection of the time ratio (Abstract). Bhukhanwala and Hug et al do not teach controlling the amount of change of the time display with acceleration based on an acceleration command from outside. Gupta et al teach wherein control buttons were well known in the art for graphical user interfaces (column 5 & 6, lines 64-67 & 1-2). Gupta et al teaches wherein common control buttons include play, stop, pause, fast forward, and reverse playback (column 6, lines 2-8). It would have been obvious to one of ordinary skill in the art at the time of the invention for Bhukhanwala to have had additional control buttons such as fast forward or fast rewind as taught in Gupta et al, in addition to the play, forward, and rewind buttons shown in Fig. 1B: 30 for user keystroke or pointing activation to vary the acceleration of the frame rate, because it would have been obvious

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to one of ordinary skill in the art at the time that the combination of the two would have aided a user in quickly advancing to the beginning or ending of the movie/frame which would save users valuable time without the need to go frame by frame rendering all the objects.

### ***Response to Arguments***

8. Applicant's arguments filed 11/23/05 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Bhukhanwala teaches a device to access and display appropriate versions of files or objects, wherein past and recent versions of said files or objects were accessed by "rewind" and "forward" functions in a movie like fashion (Abstract). Bhukhanwala also teach wherein each version of the files or objects were stored to be displayed one at a time (column 1, lines 66-67; column 2, lines 1-11; column 5, lines 25-43). Bhukhanwala further teach wherein there was concern that no files be deleted and every version of each file on the computer be saved due to the limits of storage space (column 5, lines 44-46).

Hug et al teach determining a variation (i.e. “delta format”)(Abstract) between the attributes of a file (i.e. “documents”)(Abstract) at a first original time point (“An original version of each document”)(Abstract) and at a second time point (i.e. “all alternative versions”)(Abstract); a storage means for storing the variation (“are stored in a delta format, i.e., storing only the differences from a prior document version”)(Abstract); and said regeneration means for regenerating the state based on said time (i.e. version) and said variation information (i.e. delta format)(Abstract)(column 2, lines 11-16; column 5, lines 10-67; column 6, lines 1-45). Thus Hug et al remedies the storage concern of Bhukhanwala by storing only the delta between files, whereby storing only the deltas would require less necessary storage space (Abstract: “will generally require less storage than an entire alternative version”; column 4, lines 52-55; column 5, lines 40-42).

Specifically regarding Applicant’s arguments (Remarks/Arguments: Page 19: 2<sup>nd</sup> & 3<sup>rd</sup> Paragraphs), the Examiner respectfully disagrees. Hug et al clearly teach wherein traversing between different document versions does not have to rely on generating any intermediate versions (column 5, line 67; column 6, lines 1-6). Hug et al also teach generating a delta between any two selected document versions (column 6, lines 42-45). Wherein the Applicant argues that Hug et al does not allow a user to browse temporally grouped icons in an intuitive movie like manner, not create the “feel” for temporal relations, and does not describe that each version of the document was displayed to the user as construction was occurring, the Examiner notes that the Hug et al reference has not been relied upon to teach said features.

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB

*William L. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*12/22/2005*